



**ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM
SELECTION & MANAGEMENT COMMITTEE (SMC)**

**June 17, 2008
Attendance List**

SELECTION & MANAGEMENT COMMITTEE MEMBERS

Dave Breininger
Ron Hight
Ross Hinkle
Randy Parkinson
Paul Schmalzer
Kim Zarillo

EEL PROGRAM STAFF

Jenny Ashbury
Laura Clark
Mike Knight
Brad Manley
Chris O'hara

THE NATURE CONSERVANCY

Anne Mayer
Rebecca Perry

GUESTS

Susan Gosselin, Brevard County Natural Resources Management Office
Jack Lembeck, Friends of Ulumay
Sara Okeson, Florida Today Newspaper
Suzanne Valencia, Sierra Club

*Protecting and Preserving Biological Diversity
Through Responsible Stewardship of Brevard County's Natural Resources*

*June 17, 2008
Approved July 30 2008*



ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM SELECTION & MANAGEMENT COMMITTEE (SMC)

June 17, 2008
Meeting Minutes

CALL TO ORDER:

Ross Hinkle, Chairman, called the meeting to order at 1:04 PM.

PUBLIC COMMENT:

Suzanne Valencia, citizen, asked when contracts for the Ag Ventures / Honeybrook and Scottsmoor Partners properties would be presented to the Board of County Commissioners (BOCC) again.

Clarification was provided that it was anticipated that acquisition contracts for these two properties would be presented to the Board in July or August.

MINUTES:

The April 8, 2008 and May 13, 2008 minutes were presented for approval.

Ross asked for comments to the April minutes.

Paul Schmalzer stated that the spelling of *Phragmites*, shown in the 7th bullet item on page 6 needed to be corrected.

MOTION ONE

Paul Schmalzer moved to approve the April 8, 2008 minutes as amended.

Ron Hight seconded the motion.

The motion carried unanimously.

Ross asked for comments to the May minutes.

MOTION TWO

Paul Schmalzer moved to approve the May 13, 2008 minutes as presented.

Kim Zarillo seconded the motion.

The motion carried unanimously.

ADMINISTRATIVE REVIEW:

The Administrative Review was reviewed.

Clarification was provided that the TNC spreadsheet did not always match the EEL Program priority sheet because the EEL Program prioritization sheet was developed to reflect information on properties that are currently active.

On May 20, 2008 the BOCC approved staff to submit a letter of intent to The Nature Conservancy to renew their contract with the EEL Program.

Mike provided an overview of the changes to Brevard County AO-37 regarding Land Acquisition. A summary report for the Land Acquisition Review Committee meeting will be generated by the County Manager's Office for each land acquisition contract that exceeds \$750,000.

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On May 20, 2008 the BOCC also approved revisions to the EEL Program Sanctuary Management Manual. This revision includes general updates, and the requirement for all Management Plans to be approved by the SMC before they are sent to the Board for final approval.

Clarification was provided that the approved 2008-09 Florida State budget includes \$300 million to fund the state's *Florida Forever* program for land conservation.

Mike reported that he has spoken with staff from the State Department of Environmental Protection (DEP) about the City of Titusville's proposed Falcon Woods project inclusion within the Brevard Coastal Scrub Ecosystem (BCSE). The State has confirmed that frequently DEP boundaries can have a different footprint than a County project, and Falcon Woods' inclusion within the BCSE would be thought of as a City of Titusville project and does not obligate the EEL Program.

Ross mentioned that was important information. Dave mentioned that it was anticipated that the cost per acre for the Falcon Woods proposed project, could be several times higher than usual for a property that was small and isolated.

Mike also clarified that DEP had confirmed the EEL Program would be unable to add significant areas to existing project boundaries, which means the Ag Ventures and Scottsmoor Partners properties will need to be new projects.

Public Comment

None

SMC REPORTS

REAC UPDATE

Brad informed the SMC that the Recreation and Education Advisory (REAC) Committee had reviewed a revision to the proposed public access plan for the North Buck Lake Sanctuary which included a possible hiking trail connection to a planned new Welcome Center at a rest stop off I-95 in north Brevard County. Plans are considered tentative for both the Department of Transportation (DOT) and EEL Program. It is anticipated the benefits might include tourism and educational benefits. Security is seen as a possible concern and vandals are frequently cutting EEL Program fences in the area. REAC members suggested a short loop as opposed to one trail leading into Sanctuary. The REAC Committee passed a motion to support the revised public access plan as presented by staff.

Ross asked if there was any indication of whether or not the plans for the new Welcome Center would impact existing EEL Program conservation lands. Staff stated they did not think so. Ross also mentioned that it would be important to monitor for the possible reintroduction of invasive exotics and asked if an Environmental Impact Statement for the proposed Welcome Center could be obtained. Paul stated that if an Environmental Impact Statement was not available, perhaps an Environmental Assessment could be obtained.

Brad also provided overview information on the "No Child Left Inside Program" that the EEL Program is participating in.

It is anticipated that the next REAC meeting will be scheduled for late July or early August to re-consider the proposed paved linear trail at the Malabar Scrub Sanctuary. The Town of Malabar has provided the documentation they said they would provide. It is anticipated that information from the Metropolitan Planning Office (MPO) will be received in the near future. Staff will integrate

information from the Town of Malabar and the MPO with the revisions to the Malabar Scrub Sanctuary Management Plan and distribute it to the SMC for review before it is resubmitted to the State.

Public Comment

None

OTHER SMC REPORTS

Dave Breninger provided overview information on a Brevard Zoo project to request Florida Scrub-jay Translocation to EEL Program conservation lands. Confirmation was provided that relocated species must be transferred to a sanctuary that has a fully approved management plan in place and that the BOCC has approved the EEL Program Species Translocation as part of the revised Sanctuary Management Plan that was approved in May. It is anticipated that an application will be presented to the SMC for consideration in the near future

Randy Parkinson commented on the recent wildfires.

STAFF REPORTS:

None

THE NATURE CONSERVANCY:

Rebecca Perry reviewed The Nature Conservancy's June Report to the SMC.

- ❖ Ag Venture and Scottsmoor Partners properties
 - still in negotiation
- ❖ North Indian River Lagoon
 - Mason/Miller - sending willing seller application to owner
- ❖ Sykes Creek
 - Lokay/Forbes - for review today
 - Water's Mark Development - not on list, property is between Kings Park and Johnson property off Hall Road, owner willing to submit application, so keep in mind re: Lokay/Forbes
 - Both Lokay/Forbes and Water's Mark Development properties
 - Blueways Phase 1
 - Discussed with St. Johns River Water Management District regarding possible funding partnership.
- ❖ Anneal Land and Development
 - For SMC review today
 - SJRWMD not interested in funding partnership
- ❖ Acquisition contracts scheduled to be presented to BOCC
 - Boyd and DiChristopher properties scheduled to go to BOCC July 8th
 - Balkany property scheduled to go to BOCC July 29th
- ❖ Doc Holiday Ranch
 - For SMC review today
 - Tilton property would be an inholding
- ❖ Colletta and Elliott
 - BCSE 10 Mile Ridge Mega-parcel Area

- For SMC review today

Jenny Ashbury clarified that it is anticipated that they were waiting on Bob Cochran's signature on the Title policy and that the Cochran donation is expected to close on June 19th. Mike reminded the group that Mr. Cochran will be keeping a small parcel of approximately 20 acres from the donation. Chris provided clarification that that parcel did burn during the recent wildfires in the South Region.

Ross stated that the EEL Program had several new properties to look at today, and that it appeared that there were several large areas back in negotiation which seemed likely to proceed. He reminded the group that successful acquisition of the large areas could use up most of the current available funding, and he wanted to be sure that the Committee was aware of that as they considered the new properties. Ross stated it was his opinion that the EEL Program might want to identify new areas for consideration in the event of additional funding, but that he, personally, did not want to see anything that could interfere with acquiring the large parcels that had been available, and were now coming back on the table.

AGENDA ITEMS:

Balkany Property, Malabar – Final Review of Terms of Contract

Public Comment

None.

The Balkany property consists of 21.44± acres that are adjacent to the Jordan Scrub Sanctuary on the north, west, and south sides and will be adjacent to the Cochran Donation on the east, once that donation is complete.

Dave mentioned that he felt this was an important acquisition which the EEL Program has been trying to acquire for a long time. He said that forested inholdings create management challenges and could cause occupied Florida Scrub-jay territories to become sinks (areas where mortality exceeds reproduction) as species which require large areas cannot move freely between conservation lands or other suitable areas.

The SMC identified this property for acquisition in 1995 as part of the Brevard Coastal Scrub Ecosystem Project. This means it has the potential for 50% reimbursement from the State through the Florida Forever Program. The SMC updated confirmation of their interest in November 28, 2000, and re-confirmed a 1st Majority Vote on this property on April 6, 2007 and a 2nd Majority Vote on May 23, 2007.

The property contains part of a lake. Acquisition of the property will enlarge the Jordan Scrub Sanctuary and expand the EEL Program ownership around the lake while providing additional access points for passive recreational opportunities and land management activities. Purchase price is below the appraised value.

MOTION THREE

Paul Schmalzer moved to approve the general terms of the Balkany property acquisition contract and to submit the contract to the BOCC for final approval.

Dave Breining seconded the motion.

The motion carried unanimously.

Lokay / Forbes Property

Paul Schmalzer reviewed the June 5, 2008 Site Visit Report for the 80± acre Lokay/Forbes property located adjacent to the northwest border of the Kaboord Sanctuary off Hall Road on Merritt island. There is a dike road that runs more or less along one side, but does cut in and out of the property boundary. The eastern side is a mix of mangrove and typical salt marsh flora. The western portion is mostly hammock and includes live oak, cabbage palm with some tropicals in the understory. The flora on the site is mostly native, but there is a large amount of Brazilian pepper that would require significant management to control.

The property would enlarge the Kaboord Sanctuary in the Sykes Creek Basin, but has lower conservation value than the Ag Ventures, Scottsmoor Partners, or Coastal Jewell properties that have already been identified as being the most important for acquisition. The property is within the Blueways project, which means it has the potential for 100% reimbursement through the State at some time in the future, depending on the availability of State funding.

Ross acknowledged that there were stronger priorities, but stated that he would like to find out if there was a way to keep possible acquisition of the Lokay/Forbes property on the table.

Dave asked if the appraisals would get old if a 1st Majority Vote was done.

Mike suggested consideration of having the SMC do a 1st Majority Vote now, with the contingency that staff would come back to the SMC for approval before appraisals were ordered. He mentioned that it was possible that the dike road might be used in the future Kings Park project to connect with Parks and Recreation lands near Kaboord Sanctuary.

Paul said that he would be supportive of that concept.

Public Comment

None

Ross called for a motion.

MOTION FOUR

Paul Schmalzer moved to approve a 1st Majority Vote on the Lokay/Forbes property, with the limitation that staff should bring the property back to the SMC before ordering appraisals.

Ron Hight seconded the motion.

The motion carried unanimously.

Colletta and Elliott Properties

Mike provided information on these two adjacent properties that are located along Grant Road in Grant/Valkaria. The Coletta property is 6.14± acres, and the Elliott property is 4.68± acres.

Dave mentioned that the area was mesic and wet.

Clarification was provided that the property might have future value for connectivity.

The SMC reviewed a memo to Mike Knight from Chris O'Hara, the EEL Program's South Region Land Manger which stated his opinion that since the majority of the property was wet, acquisition consideration should be revisited when the Florida Forever Program continues their acquisitions within the Mega-parcel area.

Clarification was provided that Mr. Coletta owned several properties in the area, that he had submitted the willing seller application on his own, and that TNC had solicited the Elliott application.

Mike explained that areas where roads might be put in had recently been given highest priority for acquisition in that area because staff knew that without State funding, it would be a long time before acquisition inside the Mega-parcel areas could be pursued.

Kim stated that she felt it would be good to remember that sites of this type would be useful for filling in for connectivity and ease of management, but that at this time, holding off on appraisal might be considered.

Ross stated that he thought that the SMC had already done a 1st Majority Vote on the Mega-parcel area. Clarification was provided that was correct. Mike explained that the only difference here would be that in the past, the 1st Majority Vote had basically granted as approval for the State to move forward with acquisition, as the site would be purchased with State funds and the EEL Program would be the managing entity. Now, staff had brought these sites back to the SMC because consideration was being given to using funds from the EEL Program referendum for acquisition.

Anne Mayer, from TNC reminded the group that a mass appraisal had been done on the Mega-parcel properties in the past, but that information was now out of date.

Ross stated that he was personally not in favor of spending EEL Program referendum dollars on these two sites.

Kim agreed.

Mike stated that a motion would be helpful.

Ron Hight said that he did not see anything to gain by encouraging further movement on these two properties and that he did not want to give false expectations as purchase was dependent on the State.

MOTION FIVE

Kim Zarillo made a motion recognizing that since the Coletta property is within the Mega-parcel and that the EEL Program is dependent on State funds for acquisition in that area, the EEL Program should not move forward with acquisition of the Coletta property at this time.

Ron Hight seconded the motion.

Public Comment

None

The motion carried unanimously.

MOTION SIX

Kim Zarillo made a motion recognizing that since the Elliott property is within the Mega-parcel and that the EEL Program is dependent on State funds for acquisition in that area, the EEL Program should not move forward with acquisition of the Elliott property at this time.

Ron Hight seconded the motion.

The motion carried unanimously.

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Annael Land Development Property

Mike provided overview information on the 41.12± acre Annael Land Development Property in Rockledge, which is north of Barton Blvd.

Paul said that he had looked up the area on the soils map and it was Canova Peat and Floridana, Chobee, and Felda soils-flooded so it was very wet and that it was not near, or adjacent to, any acquired or targeted EEL Program lands

Ross said that the property probably had some protection because it was so wet.

Paul said that he did not see the property as a priority and was ready to make a motion to decline.

Public Comment

None

MOTION SEVEN

Paul Schmalzer moved to decline a 1st Majority Vote on the Annael Land Development Property because it is wet, isolated, and not near or adjacent to, any EEL Program acquired or targeted lands.

Kim seconded the motion.

The motion carried unanimously.

Fowler Property

Mike provided overview information on the 308.32± acre property adjacent to the northeast corner of the recently acquired Hunter's Brooke property.

Clarification was provided that this property represents open water as part of the bottom of South Lake.

MOTION EIGHT

Kim Zarillo moved to decline a 1st Majority Vote on the Fowler Property.

Ron Hight seconded the motion.

Public Comment

None.

The motion carried unanimously.

Mann Property

Mike provided overview information on the twenty-four Mann parcels that total 37.27± acres. The parcels make up two different areas that are not adjacent to, or near each other. Most of the parcels are within the Ten Mile Ridge Mega-parcel area.

Management access points are unclear. Chris O'Hara clarified that most of the development in the area was for hunt camps.

Ross said he felt the situation for this one would be similar to the Coletta and Elliott parcels discussed earlier.

Dave said the habitat was mesic flatwoods.

Paul said that he did not see it as a high priority, but that he thought it should be kept on the table.

Ross confirmed that the 1st Majority Vote had already been made for the entire Mega-parcel area, and he would suggest a motion similar to the previous one.

MOTION NINE

Kim Zarillo made a motion to confirm that since the Mann Property was within the Mega-parcel area and was near to acquired parcels within the Mega-parcel, and based on the limited amount of funding, the EEL Program should not move forward at this time, on this property.

Dave Breininger seconded the motion.

Public Comment

None

The motion carried unanimously.

Doc Holiday Ranch Property

Mike provided an overview on the 14.64± acre property located on the west side of Corey Road in Malabar near Brookhollow. The property has gone into foreclosure.

Staff has worked to find a location for a South Region maintenance facility or as a possible way to partner with the Town of Malabar for a Town Hall facility that would not impact habitat. The Town of Malabar has indicated that they would not be interested in partnering with the EEL Program for a Town Hall on this property. It is bigger than what would be needed for an EEL Program South Region Maintenance Facility. In addition, a zoning change would be required for that use.

MOTION TEN

Paul Schmalzer moved to decline a 1st Majority Vote on the Doc Holiday Ranch property as most of the habitat value that had once been on the site had been lost and that it would not represent a significant addition to the Malabar Scrub Sanctuary in it's developed state.

Dave Breininger seconded the motion.

Public Comment

None

The motion carried unanimously.

Capron Ridge Interim Management Plan

D. Scott Taylor, Central Region Land Manger provided overview information on the Capron Ridge Interim Management Plan. He explained that staff had e-mailed a draft Interim Management Plan for the Capron Ridge Sanctuary to the SMC prior to the meeting and that comments which were received had been incorporated into a final draft which had been e-mailed back to the SMC the day prior to the meeting.

Mike explained that a few new Interim Management Plans had been prepared as a response to an audit concern regarding pending development of lengthy Management Plans which were in progress.

Ross stated he had reviewed the document and had no concerns. Paul stated that his comments had been incorporated.

Public Comment

None

MOTION ELEVEN

Paul Schmalzer moved to approve the Interim Management Plan for the Capron Ridge Sanctuary.

**Ron Hight seconded the motion.
The motion carried unanimously.**

Crane Creek Interim Management Plan

Chris O'Hara, South Region Land Manager provided overview information on the Crane Creek Interim Management Plan which had been distributed to the SMC prior to the meeting. He stated that citizen access to the Crane Creek Sanctuary would be from the water as there was no place for legal access by land. He explained that the REAC Committee had reviewed and supported the proposed public access plan as presented by staff. The proposed public access plan includes a hiking trail loop approximately a mile long.

Kim stated she was glad that the EEL Program had been able to conserve some natural, intact habitat in that area.

MOTION TWELVE

Paul Schmalzer moved to approve the Interim Management Plan for the Crane Creek Sanctuary.

Dave Breininger seconded the motion.

Public Comment

None

The motion carried unanimously.

Kim asked if it was anticipated that the new medical building that was being constructed in the area would have any impact on that sanctuary. Clarification was provided no significant impact was expected.

Grant Flatwoods Sanctuary Interim Management Plan

Chris provided overview information on the Grant Flatwoods Sanctuary Interim Management Plan which was previously distributed to the SMC for review.

Paul Schmalzer stated he had provided Chris with a few wording changes that generally related to immediate management needs with clarification that as of May 2008, some items had been completed.

Dave commented on the use of the wording "dry prairie".

Kim stated that she felt that it was basically a good plan, that needed a few revisions, which had been noted, but that she didn't think those changes should hold up approval of the Interim Plan.

Ross suggested including reference to the classification system that was used to describe habitats in the final Management Plan.

MOTION THIRTEEN

Paul Schmalzer moved to approve the Grant Flatwoods Sanctuary Interim Management Plan, as amended.

Kim Zarillo seconded the motion.

The motion carried unanimously.

Grant Flatwoods Sanctuary Site Review

Chris O'Hara provided an overview of the Grant Flatwoods Sanctuary and the SMC provided comments. The following was noted:

- Photo points have been established in depression marsh, flatwoods, and cypress swamp habitats.
- The southern part of this sanctuary was previously used for cattle grazing.
- It is anticipated that most of the ditches that run through the site will be filled through mitigation efforts.
- Of the 2,600± acres in this site, approximately 2,000 were burned during the recent wildfires in the South Region
- The Cypress Strand appears to be relatively undisturbed.
- No citizen access is planned from Micco Road at this time as staff is not sure of how the hydrology of the site will be affected by filling in the ditches.
- There is currently a one mile loop trail on this site which has equestrian use.
- Most of the site is made of good habitat.
- Assistant Land Manager is working on the draft Management Plan.
- Management needs are currently the largest priority for this site. It is anticipated that monitoring will be established after further management efforts can be completed.
- Ross clarified that the Management Plan should contain some aspects of monitoring.
- It is anticipated that additional trails will be small, as opposed to fire breaks which can at times, be appropriate for use as trails.
- It is anticipated that the area will be managed to provide future habitat for the Red-cockaded Woodpecker, and species which use similar habitat.
- An eagle's nest has been on the site for 7 years, but it burned in the recent wildfires. It is hoped that the eagles will relocate in the general area.
- Work is underway to determine fire units.
- The Grant Flatwoods Sanctuary contains a significant amount of cypress, compared to other locations.
- Chris stated that the site has burned frequently, and is very peaceful. He invited the SMC to visit the sanctuary at their convenience.
- Paul stated he has been to the site recently and it is very nice.

Ross thanked Chris for his information and stated that the information would be very useful during the preparation of the Management Plan.

Additional Discussion

Mike provided update information on citizen William Riley's request to the State regarding access to property he owns in the South Region. He explained that the EEL Program has provided the State staff with requested title information, along with a request for a written determination from DEP regarding Mr. Riley's claims of legal access across the Grant Flatwoods Sanctuary. This written determination is needed by law enforcement before they will be able to enforce the access rules for the property.

Additional Discussion

Kim Zarillo stated that she would like to comment on the EEL Program's current funding status. She said that the EEL Program had been in a similar financial position before, at a time when there were three Management and Education Centers to build, and it had been determined that the Program should postpone development of one Center and scale back construction on others,

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using the existing capital funds for acquisition. She mentioned that if the Program has priority properties that need to be pursued right away, perhaps consideration should be given to using funds planned for future Centers for acquisition at this time, and she suggested perhaps it they could discuss the topic at a future meeting,

Paul stated that he thought Kim was thinking about the Coastal Jewell property, which had come up unexpectedly, but had been considered of the highest priority for a long time because as an addition to the Jordan Scrub Sanctuary, it could push the total conservation area at the Jordan Scrub Sanctuary over the threshold of what was considered to be required to maintain populations of Florida Scrub-jays.

Kim mentioned that a location had not yet been found for the South Region facility, and there were funds set aside for that Center.

Mike confirmed that possibility was under consideration at the staff level. He clarified that when the Enchanted Forest Sanctuary was established, the BOCC had requested the Program look at facilities on a smaller scale, after the Barrier Island Center, for the Central and South Regions, and that's why the facility location for the Central Region was shifted from the Cruickshank Sanctuary to the Pine Island Conservation Area, which included existing buildings.

Additional Discussion

Ron Hight mentioned that during the recent wildfires, USFWS had dispatched helicopters to assist with fire fighting efforts.

Mike explained that EEL Program staff had also been involved in the event and spoke of how recently burned EEL Program lands had prevented the spread of fire in many areas.

NEXT MEETING:

It was determined that the next meeting would be scheduled for July 30, 2008.

ADJOURNED:

The meeting was adjourned at 4:20 PM.

SUMMARY OF MEETING MOTIONS:

- **Motion to approve the April 8, 2008 minutes as amended.**
- **Motion to approve the May 13, 2008 minutes as presented.**
- **Motion to approve the general terms of the Balkany property acquisition contract and to submit the contract to the BOCC for final approval.**
- **Motion to approve a 1st Majority Vote on the Lokay/Forbes property, with the limitation that staff should bring the property back to the SMC before ordering appraisals.**
- **Motion recognizing that since the Coletta property is within the Mega-parcel and that the EEL Program is dependent on State funds for acquisition in that area, the EEL Program should not move forward with acquisition of the Coletta property at this time.**

- **Motion recognizing that since the Elliott property is within the Mega-parcel and that the EEL Program is dependent on State funds for acquisition in that area, the EEL Program should not move forward with acquisition of the Elliott property at this time.**
- **Motion to decline a 1st Majority Vote on the Anneal Land Development Property because it is wet, isolated, and not near or adjacent to, any EEL Program acquired or targeted lands.**
- **Motion to decline a 1st Majority Vote on the Fowler Property.**
- **Motion to confirm that since the Mann property was within the Mega-parcel area and was near to acquired parcels within the Mega-parcel, and based on the limited amount of funding, the EEL Program should not move forward at this time, on this property.**
- **Motion to decline a 1st Majority Vote on the Doc Holiday as most of the habitat value that had once been on the site had been lost and that it would not represent a significant addition to the Malabar Scrub Sanctuary in it's developed state.**
- **Motion to approve the Interim Management Plan for the Capron Ridge Sanctuary.**
- **Motion to approve the Interim Management Plan for the Crane Creek Sanctuary.**
- **Motion to approve the Grant Flatwoods Sanctuary Interim Management Plan, as amended.**